

BRENDA ANN SCHWARTZ and
PAUL GRANT SCHWARTZ, h/w
Plaintiffs,
v.
ACCURATUS CORPORATION in its own
right and as successor in interest to
Accuratus Ceramic Corporation
and
MATERION BRUSH INC.
c/o C T CORPORATION SYSTEM

CIVIL ACTION

NO: 5:12-cv-06189-JLS

Notice is hereby given that Brenda Ann Schwartz and Paul Grant Schwartz, h/w, plaintiffs in the above named case, hereby appeal to the United States Court of Appeals for the Third Judicial Circuit from the Order of The Honorable Jeffrey L. Schmehl dated March 24, 2014 (entered on the docket on March 25, 2014) granting Motions to Dismiss filed by Defendant Materion Brush Inc. and Defendant Accuratus Corporation.

Respectfully Submitted,

RH2063

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Dated: September 24, 2014

CERTIFICATE OF SERVICE

I, Ruben Honik, Esquire, counsel for plaintiff in the matter herein, hereby certify that a true and correct copy of the foregoing was served on the parties/counsel listed below this 24th day of September, 2014, via ECF:

Jeffery D. Ubersax Kyle T. Cutts Jones Day North Point 901 Lakeside Avenue Cleveland, OH 44114 jdubersax@JonesDay.com kcutts@jonesday.com <i>Counsel for Defendant Materion Brush Inc.</i>	Dennis R. Callahan Ward Greenberg Heller & Reidy LLP 1835 Market Street, Suite 650 Philadelphia, PA 19103 dcallahan@wardgreenberg.com <i>Counsel for Defendant Materion Brush Inc.</i>
Wes Bridges, Esquire Becker Meisel LLC Woodland Falls Corporate Center 220 Lake Drive East, Suite 102 Cherry Hill, NJ 08002 wbridges@beckermeisel.com <i>Counsel for Defendant Accuratus Corporation</i>	Honorable Jeffrey L. Schmehl USDC Eastern District of Pennsylvania The Madison Building, Suite 401 400 Washington Street Reading, PA 19601

GOLOMB & HONIK, P.C.

RH2063

RUBEN HONIK, ESQUIRE
Attorney for Plaintiffs

Dated: September 24, 2014

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BRENDA ANN SCHWARTZ and PAUL GRANT
SCHWARTZ,

Plaintiffs,

v.

ACCURATUS CORPORATION, it is own right
and as successor in interest to Accuratus Ceramic
Corporation, and MATERION BRUSH INC., c/o
C T Corporation System,

Defendants.

CIVIL ACTION
NO. 12-6189

ORDER

AND NOW, this 24th day of March, 2014, upon consideration of the Motions to Dismiss filed by Defendant Materion Brush Inc. (Docket #50) and Defendant Accuratus Corporation (Docket #55) and all supporting and opposing papers, it is hereby **ORDERED** that the Motions are **GRANTED IN PART AND DENIED IN PART** as follows:

1. Accuratus Corporation's Motion to Dismiss (Docket #55) is **GRANTED** with respect to Count I, and Count I is **DISMISSED WITH PREJUDICE**.
2. Accuratus Corporation's Motion to Dismiss (Docket #55) is **DENIED** with respect to Count II.
3. Accuratus Corporation's Motion to Dismiss (Docket #55) is **GRANTED** with respect to Count III, and Count III is **DISMISSED WITH PREJUDICE**.

4. Accuratus Corporation's Motion to Dismiss (Docket #55) is **GRANTED** with respect to Count IV, and Count IV is **DISMISSED WITH PREJUDICE**.
5. Materion Brush's Motion to Dismiss (Docket #50) is **DENIED** with respect to Count V.
6. Materion Brush's Motion to Dismiss (Docket #50) is **DENIED** with respect to Count VI.
7. Materion Brush's Motion to Dismiss (Docket #50) is **GRANTED** with respect to Count VII, and Count VII is **DISMISSED WITH PREJUDICE**.
8. Materion Brush's Motion to Dismiss (Docket #50) is **DENIED** with respect to Count VIII.
9. The Motions of both Defendants (Docket ##50 and #55) are **DENIED** with respect to Count IX.
10. The Motions of both Defendants (Docket ##50 and #55) are **DENIED** with respect to Count X.

BY THE COURT:

/s/ Jeffrey L. Schmehl
Jeffrey L. Schmehl, J.